

REMARKS

Drawings

The Examiner objects to the drawings because the reference character “46” is used to designate both Trusted Third Party’s Access (Figure 4) and Virtual Archivist (Figure 6). Submitted herewith for approval by the Examiner is a copy of the drawing marked in red to show the proposed change of the reference character used to designate the Trusted Third Party’s Access from “46” to “45” in Figure 4. The foregoing amendment makes corresponding changes in the specification.

Claim Rejections – 35 U.S.C. 112

Claim 78 is rejected under 35 U.S.C. 112, second paragraph, for insufficient antecedent basis for automatically updating the technology aspects. The foregoing amendment changing dependency to claim 75 supplies the missing antecedent basis.

Claim Amendments

The foregoing amendment clarifies the expression of the invention. Support for the amendment is found throughout the specification and in the original and amended claims as detailed below. Accordingly, no new matter has been added. Independent system claim 1 is amended to include the limitations of claims 2 and 13, which are canceled. Claims 3 and 14 are amended to change dependency from claim 2 to claim 1. Claim 32 is amended to independent form to include the limitations of base claim 1, and also including the limitations of claims 33, 35, 36, and 37 which are canceled. Claim 41 is amended to independent form to include the limitations of base claim 1, and also including the limitations of claims 42 and 43 which are canceled. Claim 56 is amended to independent form including the limitations of base claim 1, and also including the limitations of claim 57 which is canceled. Claim 58 is amended to change dependency from claim 57 to claim 56. Claim 62 is amended to independent form to include the limitations of base claim 1, and also including the limitations of claim 63, which is canceled. Claim 64 is amended to change

dependency from claim 63 to claim 62. Claim 67 is amended to independent form to include the limitations of base claim 1, and also including the limitations of claim 68, which is canceled. Claim 69 is amended to change dependency from claim 68 to claim 67. Independent system claim 81 is amended to clarify that the means for storing the data comprises a virtual wallet application having a virtual executor function.

Claim Rejections – 35 U.S.C. 103

Claims 1-92 are pending in the application. Claims 1-12, 14-36, 41-42, 44-56, 62, 67, and 72-92 stand rejected under 35 U.S.C. 103(a) over Fischer in view of “official notice” and further in view of Rosen. The Examiner objects to claims 13, 37-40, 43, 57-61, 63-66, and 68-71 as being dependent on a rejected base claim. The rejection is respectfully traversed and reconsideration is requested. The references asserted do not teach or suggest the claimed invention.

Fischer discloses a method and apparatus for preventing a trustee from revealing information to someone other than a party legitimately entitled to receive the information. After storing the information under a password, if the user forgets the password, the user contacts the trustee, such as the vendor or manufacturer, and presents documentary evidence. If the evidence matches with information previously stored by the user, the trustee reveals the password to the user. The Fischer patent neither teaches nor suggests the method and system for securely storing data contemplated by applicant’s claimed invention

Rosen discloses a monetary system using electronic money that is interchangeable with conventional paper money and that can be stored by subscribers in transaction devices. The transaction devices can also be used by subscribers for performing money transactions with on-line bank systems or for exchanging electronic money with like transaction devices. The Rosen patent neither teaches nor suggests the method and system for securely storing data contemplated by applicant’s claimed invention.

The claimed combinations are not taught or suggested by Fischer or Rosen either separately or in combination with one another. It is also noted that none of the remaining references cited but not applied by the Examiner disclose the claimed features of applicant's invention.

Allowable Subject Matter

The Examiner indicates that claims 13, 37-40, 43, 57-61, 63-66, and 68-71 would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. In keeping with the Examiner's indication of allowable subject matter, regarding claim 13, the foregoing amendment rewrites base method claim 1 including the limitations of claim 13 and intervening claim 2. Regarding claims 37-40, the foregoing amendment rewrites claim 32 in independent form including the limitations of base claim 1 and claim 37, and intervening claims 33, 35, and 36. Regarding claim 43, the foregoing amendment rewrites claim 41 in independent form including the limitations of base claim and claim 43, and intervening claim 42. Regarding claims 57-61, the foregoing amendment rewrites claim 56 in independent form including the limitation of base claim 1 and claim 57. Regarding claims 63-66, the foregoing amendment rewrites claim 62 in independent form including the limitations of base claim 1 and claim 63. Regarding claims 68-71, the foregoing amendment rewrites claim 67 in independent form including the limitations of base claim 1 and claim 68.

Further, in keeping with the Examiners statement that the prior art neither teaches nor suggests the limitation regarding a virtual executor function of an electronic wallet application, the foregoing amendment of base system claim 81 clarifies that the means for storing the data comprises a virtual wallet application having a virtual executor function. The above-noted aspects are not disclosed or suggested by the references asserted against the claims of record, and the claimed invention is patentably distinct from the cited references. It is also noted that none of the remaining references cited but not applied by the Examiner teach or suggest the claimed features of applicant's invention.

Version With Markings to Show Changes Made

Amendments in the Specification:

In accordance with 37 CFR 1.121(b), the following replacement paragraph shows all the changes made by the foregoing amendment relative to the previous version of the paragraph.

Page 8, beginning at line 26 through line 8 of page 9:

The system and method for an embodiment of the present invention provides, for example, a technology infrastructure associated with the virtual wallet 12 for accessing the contents of the virtual wallet, such as the owner's stored value in the wallet. The technology infrastructure associated with the virtual wallet 12 provides a key that is durable and has, for example, two "flavors." Fig. 4 is a table which shows examples of the two "flavors" for the key 44 for accessing the owner's virtual wallet 12 for an embodiment of the present invention. A first flavor of the key is the owner's secret access mechanism 35, which is necessary for the owner 4 to use every day for access to the virtual wallet 12. A second flavor 46 [45] of the key is held by the trusted third party 8 to give the third party access to the virtual wallet 12. The second flavor 46 [45] is, in effect, like a master key that gives the trusted third party 8 access to the contents of the owner's virtual wallet 12 once the owner 4 is no longer able to use the owner's primary access device 36.

Amendments in the Claims:

In accordance with 37 CFR 1.121(c), the following versions of the claims as rewritten by the foregoing amendment show all the changes made relative to the previous versions of the claims.

1. (Amended) A method for securely storing data for an owner, comprising:

storing the data for the owner by entering the data on a virtual wallet application for the owner, the virtual wallet application having a virtual executor function;

automatically assigning a secret device to the owner for accessing the stored data;

automatically escrowing the secret device conditioned on the occurrence of an event;

receiving verification of the occurrence of the event; and

accessing the stored data with the escrowed secret device.

Claim 2 has been canceled without prejudice.

3. (Amended) The method of claim [2] 1, wherein entering the data further comprises entering the data by the owner at a terminal.

Claim 13 has been canceled without prejudice.

14. (Amended) The method of claim [2] 1, wherein entering the data further comprises entering the data for the owner on the virtual wallet application having a virtual archivist function.

32. (Amended) [The method of claim 1] A method for securely storing data for an owner, comprising:

storing the data for the owner;

automatically assigning a secret device to the owner for accessing the stored data, wherein automatically assigning the secret device further comprises automatically assigning the secret device with at least two access aspects comprising an owner's access aspect and a trusted third party's access aspect;

automatically storing the trusted third party's access aspect by a virtual executor aspect of a virtual wallet application for the owner;

automatically escrowing the secret device conditioned on the occurrence of an event;

receiving verification of the occurrence of the event; and

accessing the stored data with the escrowed secret device.

Claim 33 has been canceled without prejudice.

34. (Amended) The method of claim [33] 32, wherein automatically assigning the owner's access aspect further comprises automatically sending the owner's access aspect to the owner.

Claims 35 –37 have been canceled without prejudice.

38. (Amended) The method of claim [37] 32, wherein automatically storing the trusted third party's access aspect further comprises automatically storing the trusted third party's access aspect by the virtual executor function of the virtual wallet application on a server of the trusted third party.

41. (Amended) [The method of claim 1] A method for securely storing data for an owner, comprising:

storing the data for the owner;

automatically assigning a secret device to the owner for accessing the stored data;

automatically escrowing the secret device conditioned on the occurrence of an event, wherein automatically escrowing the secret device further comprises automatically escrowing a trusted third-party's access aspect of the secret device by a virtual executor function of the virtual wallet application for the owner;

receiving verification of the occurrence of the event; and

accessing the stored data with the escrowed secret device.

Claims 42 and 43 have been canceled without prejudice.

56. (Amended) [The method of claim 1] A method for securely storing data for an owner, comprising:

storing the data for the owner;

automatically assigning a secret device to the owner for accessing the stored data;

automatically escrowing the secret device conditioned on the occurrence of an event;

receiving verification of the occurrence of the event, wherein receiving the verification further comprises entering the verification of the occurrence of the event on a virtual executor function of a virtual wallet application of the owner; and

accessing the stored data with the escrowed secret device.

Claim 57 has been canceled without prejudice.

58. (Amended) The method of claim [57] 56, wherein entering the verification further comprises entering the verification on the virtual executor function of the virtual wallet application on a server.

62. (Amended) [The method of claim 1] A method for securely storing data for an owner, comprising:

storing the data for the owner;

automatically assigning a secret device to the owner for accessing the stored data;

automatically escrowing the secret device conditioned on the occurrence of an event;

receiving verification of the occurrence of the event; and
accessing the stored data with the escrowed secret device, wherein
accessing the stored data further comprises accessing the data stored in a virtual executor
function of a virtual wallet application of the owner on a server.

Claim 63 has been canceled without prejudice.

64. (Amended) The method of claim [63] 62, wherein accessing the stored data further comprises accessing the data stored in the virtual executor function of the virtual wallet application on the server of a trusted third party.

67. (Amended). [The method of claim 1] A method for securely storing data for an owner, comprising:

storing the data for the owner;
automatically assigning a secret device to the owner for accessing the
stored data;
automatically escrowing the secret device conditioned on the occurrence
of an event;
receiving verification of the occurrence of the event; and
accessing the stored data with the escrowed secret device, wherein
accessing the stored data further comprises accessing the data using a trusted third party's
access aspect of the secret device stored by a virtual executor function of a virtual wallet
application.

Claim 68 has been canceled without prejudice.

69. (Amended) The method of claim [68] 67, wherein accessing the data further comprises accessing the data using the trusted third party's access aspect of the

secret device stored by the virtual executor function of the virtual wallet application on a server of the trusted third party.

78. (Amended) The method of claim [1] 75, wherein automatically updating the technology aspects further comprises automatically updating at least one technology aspect of the data selected from a group of technology aspects consisting of technology related to signing a document, encryption technology, technology related to a key for signing a document, technology related to a document itself, technology related to a certificate revocation list, technology related to a time stamp, and technology related to a notary stamp.

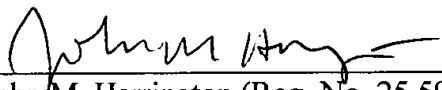
81. (Amended) A system for securely storing data for an owner, comprising:
means for storing the data for the owner;
means associated with the storing means for automatically assigning a secret device to the owner for accessing the stored data;
means associated with the storing means for automatically escrowing the secret device conditioned upon the occurrence of an event;
means associated with the storing means for receiving verification of the occurrence of the event; and
means associated with the storing means for accessing the stored data with the escrowed secret device, the means for storing the data further comprising a virtual wallet application having a virtual executor function.

Conclusion

In view of the foregoing amendment and these remarks, each of the claims remaining in the application is in condition for immediate allowance. Accordingly, the Examiner is requested to reconsider and withdraw the rejection and to pass the application to issue. The Examiner is respectfully invited to telephone the undersigned at (336) 607-7318 to discuss any questions relating to the application.

Respectfully submitted,

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